

Notice of Allowability

Application No.

09/514,997

Examiner

Susanna M. Diaz

Applicant(s)

SCHULTZE, AXEL

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's response filed November 18, 2005.
2. ☒ The allowed claim(s) is/are 1,7-17,20-34,36-40,42-60,76 and 77.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

SUSANNA M. DIAZ
PRIMARY EXAMINER

AU 3623

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Hector Ribera (Reg. No. 54,397) on December 14, 2005.

The application has been amended as follows:

Please cancel claims 61-75, 78, and 79 without prejudice.

Please amend claims 25, 31, and 45 as follows:

Claim 25, line 12, insert -- wherein leads in the selected set cannot be provided to a second sales agent -- after "lead selection"

Claim 31, line 15, insert -- wherein leads in the selected set cannot be provided to a second sales agent -- after "period"

Claim 45, line 9, after "the lead request;" insert on a new line -- moving the lead from an active set of the electronic lead database system to a selected set of the electronic lead database system for a predetermined time period, wherein leads in the selected set cannot be provided to a second sales agent; --

Allowable Subject Matter

2. Claims 1, 7-17, 20-34, 36-40, 42-60, 76, and 77 are allowed.

Art Unit: 3623

3. The following is an examiner's statement of reasons for allowance:

Applicant's arguments presented on pages 19-22 of the response filed November 18, 2005 are persuasive. More specifically, the closest prior art of record (i.e., Anderson, Boudrow, and Cates), either alone or in combination, fails to teach or suggest the combination of the features of an electronic lead database system that is operated by a third party not under the control of the sales agents wherein selected leads are moved from an active set of the electronic lead database system to a selected set of the electronic lead database system for a predetermined time period, wherein leads in the selected set cannot be provided to a second sales agent, and an introductory confirmation message is sent to the lead by the electronic lead database system in response to the detection of an electronic lead selection and prior to the sales agent actually contacting the lead. This combination of features is recited in claims 1, 7-17, 20-34, 36-40, 42-60, 76, and 77; therefore, claims 1, 7-17, 20-34, 36-40, 42-60, 76, and 77 are deemed to be allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hansen et al. (WO 2005/065349 A2) -- Discloses a lead management system.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (571) 272-6733. The examiner can normally be reached on Monday-Friday, 10 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Susanna M. Diaz
Primary Examiner
Art Unit 3623

December 14, 2005